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Customer No. 26874
PATENT TRADEMARK OFFICE
Attorney Docket: END895.0511038

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant: Wales et al. : Paper No:
Serial No. 10/615,973 : Group Art Unit: 3721
Filed: July 9, 2003 : Examiner: Paul Durand
For: SURGICAL INSTRUMENT INCORPORATING AN ARTICULATION
MECHANISM HAVING ROTATION ABOUT THE LONGITUDINAL AXIS

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In the subject Office Action dated September 24, 2004, the Examiner has asked that the Applicants make an election between the following four groups of species:

- a. Species I as shown in Figure 12.
- b. Species II as shown in Figure 14.
- c. Species III as shown in Figure 15.
- d. Species IV as shown in Figure 18.

Applicants hereby elect, without traverse, Species 3, Figure 15, Claim 1-8, 12-13 and 15-16 read on Species 3.

If the Examiner has any questions, please contact Applicants' representative, David E. Franklin, at 513-651-6856.

The Commissioner for Patents is hereby authorized to charge any deficiency or credit any overpayment of fees to Frost Brown Todd LLC Deposit Account No. 06-2226.

Serial No. 10/615,973



CERTIFICATE OF MAILING

I hereby certify that a copy of this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

October 22, 2004

Elizabeth A. Middleton
Elizabeth A. Middleton

Respectfully submitted,

Kenneth S. Wales et. al.

By David E. Franklin

David E. Franklin

Registration No. 39,194

Attorney for Applicant(s)

FROST BROWN TODD LLC

2200 PNC Center

201 East Fifth Street

Cincinnati, Ohio 45202

(513) 651-6856

dfranklin@fbtlaw.com